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PUBLIC LANDS SERVICE CORPS ACT

JANUARY 13, 2012.—Ordered to be printed

Filed, under authority of the order of the Senate of December 17, 2011

Mr. BINGAMAN, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany S. 896]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 896) to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 29, strike lines 9 through 15 and insert the following:
“(2) TRAVEL COSTS.—The Secretary may reimburse
Corps
2. On page 33, strike lines 19 through 23 and insert the following:
“(1) in subsection (a), by striking “year,” and all that
follows through the period and inserting “year.”;

PURPOSE

The purpose of S. 896 is to improve and expand the activities carried out under the Public Lands Corps Act of 1993.

BACKGROUND AND NEED

The Public Lands Corps was established by the Public Lands Corps Act of 1993 (Public Law 103–82; hereinafter “the 1993 Act”) to encourage young adults to carry out a wide range of service projects on public lands. The National Park Service has supported a wide range of Public Lands Corps projects since 1997, but the authority was not used by other agencies. In 2005, the 1993 Act was amended to expand the use of the Corps and the opportunities it promised for young people around the country. While youth conservation corps have a strong record of restoring, maintaining, and improving public lands in a cost-effective and efficient manner working in partnership with Federal land management agencies, the 2005 amendments nevertheless had a limited effect on expanding the use of the program. However, interest in the program has continued to grow.

Corps programs benefit young men and women by providing them with public service, service-learning, job training, and work opportunities. It also introduces a diversity of young people to careers in natural and cultural resource stewardship and public service by working directly with conservation professionals in land management agencies. This work also promotes the understanding of and appreciation for the agencies’ missions, and provides potential pathways to Federal careers in the public land management agencies, which are in need of a new generation of employees.

S. 896 would expand and strengthen the 1993 Act by creating a “consulting intern” program for graduate students who help agencies carry out management analysis activities, facilitating career placement for corps participants, emphasizing partnerships and learning opportunities, authorizing additional financial and administrative support for corps participants, and establishing an Indian Youth Service Corps to be managed by tribally authorized organizations. S. 896 also diversifies the types of projects and activities that may be carried out by the corps, including such activities as historical and cultural research, museum curatorial work, oral history projects, documentary photography, public and web information and services, and visitor safety projects.

LEGISLATIVE HISTORY

S. 896 was introduced by Senator Bingaman on May 5, 2011, and is cosponsored by Senators Begich, Boxer, Coons, Snowe, and Tom Udall. The Subcommittee on Public Lands and Forests held a hearing on the bill on May 18, 2011 (S. Hrg. 112–39). At its business meeting on November 10, 2011, the Committee on Energy and Natural Resources ordered S. 766 favorably reported with amendments. The Committee reported a similar bill (H.R. 1612, as amended) by voice vote in the 111th Congress.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on November 10, 2011, by a voice vote of a quorum present, recommends that the Senate pass S. 896, if amended as described herein. Senators Barrasso, Risch, Lee, Paul and Portman asked to be recorded as opposing the measure.

COMMITTEE AMENDMENTS

During its consideration of S. 766, the Committee adopted two amendments. The first amendment struck an unnecessary provision relating to cost-of-living differentials, the authority for which already was adequately provided for in the bill's provision of authority for the Secretary to establish living allowances. The second amendment struck the bill's authorization to appropriate such sums as may have been necessary to carry it out. As a result, the bill would maintain the overall \$12 million authorization for appropriations in existing law.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title for the Act.

Section 2 amends the short title of the 1993 Act and provides for references to the original short title to be considered references to the amended short title.

Section 3 provides that “the Act” in the Public Lands Service Corps Act of 2011 refers to the Public Lands Service Corps Act of 1993.

Section 4(a) of the Act makes several conforming amendments to the 1993 Act.

Subsections (b), (c), and (d) amend the findings, purposes, and definitions, respectively, in the 1993 Act.

Subsection (e) amends section 204 of the 1993 Act to add a Public Lands Service Corps program in the National Oceanic and Atmospheric Administration in the Department of Commerce to create Federal offices and coordinators for Corps activities, to establish an Indian Youth Service Corps liaison in the Department of the Interior, and to provide that individuals may enroll in the Corps for no more than a total of 2 years. It also eliminates explicit contracting authority for the Corps, emphasizing the use of cooperative agreements with qualified youth or conservation corps as the primary mechanism for carrying out the program; adds provisions for recruitment and training programs for Corps members; describes and expands the types of projects that may be carried out through the Corps; and clarifies that volunteers from other programs, such as the Retired Senior Volunteer Program, may participate in Corps projects. Finally, it adds a requirement for certain Corps participants, recipients of Corps program funding, and supervisors to submit to a criminal history check in accordance with section 189D(b) of the National and Community Service Act (42 U.S.C. 12645g(b)), and precludes any individual under the jurisdiction of the Secretary or that is formally connected to the Corps from enrolling, receiving funds, or having regular contact with Corps participants during their program activities if that individual refuses to submit to—or makes a false statement in connection with—a criminal history check, is registered—or is required to be registered—on a State sex offender registry or the National Sex Offender Registry, or has been convicted of murder (as described in 18 U.S.C. 1111).

Subsection (f) amends section 205 of the 1993 Act to clarify that the Secretaries may provide temporary housing and transportation for Corps participants, and may recruit mentors, supervisors, and others to help train and lead the Corps.

Subsection (g) amends section 206 of the 1993 Act to add a “consulting intern” program to the Corps to carry out management analysis for agencies in the three participating Departments. This provision builds on the National Park Service’s successful use of consulting interns from business and public management graduate schools to help develop business plans for units of the National Park System.

Subsection (h) renumbers sections of the 1993 Act.

Subsections (i) adds a new section 207 to the 1993 Act to authorize the Secretaries to enter into cooperative agreements and make competitive grants to Indian tribes to establish an Indian Youth Service Corps to focus on carrying out appropriate natural and cultural resources conservation projects on Indian lands.

Subsection (j) adds a new section 208 to the 1993 Act to require the Secretaries to issue guidelines for the management of the Corps programs under their jurisdiction.

Subsection (k) clarifies that the Secretaries may reimburse Corps participants for the cost of travel to and from the Corps program and modifies the Federal hiring provisions of the 1993 Act.

Subsections (l) and (m) make conforming changes to the National Service Educational Awards and non-displacement provisions of the 1993 Act, respectively.

Subsection (n) amends the funding provisions of the 1993 Act to permit qualified youth and conservation corps to use other Federal funds, such as those from the Corporation for National and Community Service, to meet their cost-sharing requirements, and to permit the Secretaries to reduce the cost-sharing requirements from 25% to not less than 10% under certain circumstances.

Subsection (o) simplifies the existing authorization for appropriations for the Corps.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the Congressional Budget Office completes its cost estimate, it will be posted on the Internet at www.cbo.gov.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 896.

The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 896, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 896, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The views of the Department of Agriculture and the Department of the Interior were included in testimony received by the Committee at the May 18, 2011, hearing (S. Hrg. 112–39), which is provided below.

STATEMENT FOR THE RECORD OF THE DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 896, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

The Department strongly supports S. 896. This bill would strengthen and facilitate the use of the Public Land Corps (PLC) program, helping to fulfill Secretary Salazar's vision for promoting ways to engage young people across America to serve their community and their country. During the last Congress, the Department testified in support of similar bills in both the House and the Senate. While we appreciate the revisions to last Congress's versions of the legislation that are reflected in S. 896, we would like to have the opportunity to work with the committee on the amendments described in this statement and any additional issues that we identify as we continue our review of the bill.

ENGAGING AMERICA'S YOUTH THROUGH SERVICE

While there are other Federal programs that promote service, expanding the use of the Public Land Corps is particularly important because it also serves other high-priority goals. The Corps reconnects young people with their natural environment and cultural heritage; conserves energy and increases use of alternative sources of energy; and provides education, training, and career-building experiences which may support a pathway to careers in Federal land management agencies, which need new, younger and more diverse employees.

Secretary Salazar created the Youth in Natural Resources program during his tenure at the Colorado Department of Natural Resources as a way to educate thousands of young people about Colorado's natural resources, and he saw firsthand what a difference it made in their lives. From the day he was nominated as Secretary of the Interior, he has emphasized that one of his top priorities would be to find more ways to introduce young Americans from all backgrounds to the beauty of our national parks, refuges, and public lands and to promote an ethic of volunteerism and conservation in this Country's youngest generation. Enactment of this legislation helps pave the

way to meeting one of the Secretary's top priority goals—to develop a 21st Century Conservation Service Corps. Engaging youth in the great outdoors through educational and employment opportunities is one of the primary focuses of the Administration's America's Great Outdoors initiative, and is a great example of multiple federal agencies coming together for a common goal. S. 896 would help both the Department and our sister agencies, USDA and the Department of Commerce, offer expanded opportunities for our youth to engage in the care of America's Great Outdoors.

BACKGROUND ON PUBLIC LAND CORPS PROGRAM

The Department regards the Public Land Corps program as an important and successful example of civic engagement and conservation. Authorized by the National and Community Service Trust Act in 1993, the program uses non-profit organizations such as the Student Conservation Association (SCA) and other service and conservation corps organizations affiliated with the Corps Network as the primary partners in administering the Public Land Corps program. These public/private partnership efforts help to leverage Federal dollars in some cases 3 to 1 and have assisted the Department in increasing youth employment opportunities by 45% from FY 2009 to FY 2010. In addition, other non-profit youth organizations such as the YMCA also participate, as do local high schools and job-training youth organizations. The youth organizations assist the National Park Service (NPS) in its efforts to attract diverse participants to the parks by recruiting youth 16–25 years of age from all socioeconomic, cultural and ethnic backgrounds.

The National Park Service makes extensive use of the Public Land Corps Act. This authority is used for the majority of all NPS youth work projects that utilize a non-profit youth-serving organization as a partner. In FY 2010, 3,006 employment opportunities¹ were created through the projects undertaken by these partner organizations. Many of these projects were for maintenance and ecological restoration purposes. The NPS receives a 25 percent cost match from the participating partner organizations. During FY 2010, the NPS spent \$4.4 million in Service-wide fee revenue and approximately \$2 million in park-specific fee revenue, as well as approximately \$2.5 million in appropriations for the Youth Intern Program, on PLC projects.

An example of what this program has accomplished is exemplified by the work of one PLC partner organization, the Greening Youth Foundation, which recruited and trained 16 at-risk young adults from Denver. From April, 2010, through February, 2011, these 18- to 24-year olds earned green certifications that enabled them to conduct

¹Not less than 80 hours of pay compensation which can be in the form of a stipend or hourly wage, which must be through a cooperative agreement. Includes both projects involving work crews and individual internships.

energy audits and energy retrofits at all the national park sites in Colorado and Arizona. The work provided marketable skills to its young participants and energy savings to the parks.

The Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (FWS) also have a long history of employing young people through the Youth Conservation Corps and through the SCA and other youth service and conservation organizations for a wide array of projects related to public lands resource enhancement and facility maintenance under the Public Lands Corps Act. Though most Corps are affiliated with the nationwide Corps Network, they are often administered at the State, rather than national level. The FWS and SCA have partnered for over 20 years to offer work and learning opportunities to students. In FY 2010, 218 Conservation interns served at 90 FWS sites, contributing more than 157,040 hours of work.

The BLM has engaged the services of non-profit youth service corps for many years under financial assistance agreements at the state and local level. In 2010, the BLM supported 1,689 youth employees through non-profit youth service corps organizations. They participated in a variety of conservation service activities such as recreation and river management, historic building restoration and maintenance, seed collection, and invasive species control. BLM's Salem Oregon District, for example, hires a mixture of Northwest Youth Corps, Clackamas County, and Columbia River Youth Corps members each year to perform a variety of activities such as trail maintenance and construction.

The FWS manages 553 units of the National Wildlife Refuge System that cover over 150 million acres of land and waters, as well as 70 National Fish Hatcheries, which would directly benefit from programs authorized under S. 896. National Wildlife Refuges and National Fish Hatcheries enjoy strong relationships with the local communities, and are involved in many community-based projects that help maintain sustainable landscapes. The FWS's work is also supported by over 200 non-profit Friends organizations that assist in offering quality education programs, mentoring, and work experience for youth.

In 2010, the FWS employed 858 youth employees through local, State, and non-profit youth service corps. The FWS has provided funding for a YCC program involving the Mescalero Apache youth at the Mescalero Tribal Hatchery in New Mexico. The FWS has working relationships with numerous colleges and universities for students interested in pursuing careers in fish and wildlife management.

THE PUBLIC LANDS SERVICE CORPS ACT OF 2011

S. 896 would make several administrative and programmatic changes to the Public Land Corps Act. These changes would encourage broader agency use of the pro-

gram, make more varied opportunities available for young men and women, and provide more support for participants during and after their service. Appropriately, S. 896 would change the program's name to Public Lands Service Corps, reflecting the emphasis on "service" that is the hallmark of the program. President Obama is committed to providing young people with greater opportunities and incentives to serve their community and country. Through an enhanced Public Lands Service Corps, we would be taking a critical first step that direction.

Key changes that the legislation would make to existing law include:

- Adding the Department of Commerce's National Oceanic and Atmospheric Administration, which administers national marine sanctuaries and conservation programs geared toward engaging youth in science, service and stewardship, as an agency authorized to use the program;
- Establishing an Indian Youth Corps so Indian Youth can benefit from Corps programs based on Indian lands, carrying out projects that their Tribes and communities determine to be priorities;
- Authorizing a departmental-level office at the Department of the Interior to coordinate Corps activities within the three land management bureaus;
- Requiring each of the three relevant departments to undertake or contract for a recruiting program for the Corps;
- Requiring a training program for Corps members, and identifying specific components the training must include;
- Identifying more specific types of projects that could be conducted under this authority;
- Allowing participants in other volunteer programs to participate in PLC projects;
- Allowing agencies to make arrangements with other Federal, State, or local agencies, or private organizations, to provide temporary housing for Corps members;
- Providing explicit authority for the establishment of residential conservation centers;
- Authorizing agencies to recruit experienced volunteers from other programs to serve as mentors to Corps members;
- Adding "consulting intern" as a new category of service employment under the PLC program;
- Allowing agencies to apply a cost-of-living differential in the provision of living allowances and to reimburse travel expenses;
- Allowing agencies to provide non-competitive hiring status for Corps members for two years after completing service, rather than only 120 days, if certain terms are met;

- Allowing agencies to provide job and education counseling, referrals, and other appropriate services to Corps members who have completed their service; and
- Eliminating the \$12 million authorization ceiling for the program.

We believe that the Department's program would benefit from enactment of this legislation. As noted above, most PLC projects are designed to address maintenance and ecological restoration needs, and those types of projects would continue to be done under S. 896. However, this legislation specifies a broader range of potential projects, making it likely that Corps members could become involved in such varied activities as historical and cultural research, museum curatorial work, oral history projects and programs, documentary photography, public information and orientation services that promote visitor safety, and activities that support the creation of public works of art. Participants might assist employees in the delivery of interpretive or educational programs and create interpretive products such as website content, Junior Ranger program books, printed handouts, and audiovisual programs.

PLC participants would also be able to work for a partner organization where the work might involve sales, office work, accounting, and management, so long as the work experience is directly related to the protection and management of public lands. The NPS and the FWS have a large number of partner organizations that would be potential sponsors of young people interested in the type of work they might offer.

An important change for the Department is the addition of specific authority for agencies to pay transportation expenses for non-residential Corps members. Transportation costs may be a limiting factor in program participation of economically disadvantaged young people.

Another important change is the addition of "consulting intern" as a new category of service employment under the PLC program, expanding on the use of mostly college-student "resource assistants," provided for under existing law. The consulting interns would be graduate students who would help agencies carry out management analysis activities. NPS has successfully used business and public management graduate student interns to write business plans for parks for several years, and this addition would bring these interns under the PLC umbrella.

The Public Lands Service Corps would also offer agencies the ability to hire successful corps members non-competitively at the end of their appointment, which would provide the agency with an influx of knowledgeable and diverse employees as well as career opportunities for those interested in the agencies' mission. Refuges and hatcheries, for example, are uniquely qualified to connect with local communities since the Service has so many refuges across the country that are located near smaller communities and can directly engage urban, inner city, and rural youth. For example, partnering academic institutions are

beginning to offer academic certificate programs to enhance the students' work experience and marketability for securing full-time employment in both the Federal and non-profit sectors, thereby providing orientation and exposure to a broad range of career options.

The legislation would also give the Department's other bureaus that would utilize this program the authority to expand the scope of existing corps programs to reflect modern day challenges, such as climate change and add incentives to attract new participants, especially from underrepresented and diverse populations.

An expanded Public Lands Service Corps program would provide more opportunities for thousands of young Americans to participate in public service while assisting the Department to address the critical maintenance, restoration, repair and rehabilitation needs on our public lands and gain a better understanding of the impacts of climate change on these treasured landscapes.

RECOMMENDED CHANGES TO S. 896

As noted at the start of this statement, we appreciate the changes to last Congress's version of the legislation that are reflected in S. 896. However, the Administration recommends the following amendments to this bill:

(1) Hiring preference

The Administration recommends changing eligibility for former PLSC participants for noncompetitive hiring status from two years to one year. This change would make eligibility status consistent with other Government-wide, non-competitive appointment authorities based on service outside of the Federal government.

(2) Cost sharing for nonprofit organizations contributing to expenses of resource assistants and consulting interns

Under current law in the case of resource assistants, and under S. 896 in the case of consulting interns, sponsoring organizations are required to cost-share 25 percent of the expenses of providing and supporting these individuals from "private sources of funding." The Administration recommends giving agencies the ability to reduce the non-Federal contribution to no less than 10 percent, only if the Secretary determines it is necessary to enable a greater range of organizations, such as smaller, community-based organizations that draw from low-income and rural populations, to participate in the PLSC program. This would make the cost-share provisions for resource assistants and consulting interns parallel to the provisions under the bill for other PLSC participants.

(3) Definition of Eligible Public Lands

The Administration recommends technical amendments to clarify that PLSC activities will be carried out on public lands as enumerated in the law. "Eligible service lands" may be interpreted to include non-Federal lands.

(4) Agreements with Partners on Training and Employing Corps Members

The Administration recommends striking the provision in S. 896 that would allow PLSC members to receive federally funded stipends and other PLSC benefits while working directly for non-Federal third parties. The need for this language is unclear, since agencies already have flexibility in how they coordinate work with cooperating associations, educational institutes, friends groups, or similar nonprofit partnership organizations. Yet, the language could raise unanticipated concerns over accountability, liability, and conflicts of interest. For example, this language could allow an individual to receive a federally funded stipend under a PLSC agreement, and then perform work for a different non-federal group (such as a cooperating association) that is subject to agency oversight under different agreements. This language could blur the lines of responsibility that have been established in response to IG concerns over the management of cooperating associations and friends groups.

(5) Living Allowance Differentials

The Administration recommends striking the provision in S. 896 that would allow for the Secretary to provide living allowance differentials to employees. Current law provides the Secretary with broad authority to set “living allowances” at an appropriate rate. Adding “cost-of-living” language to a law that would modify compensation for Federal employees may unnecessarily introduce confusion.

The Department is happy to answer any questions you or the other members of the subcommittee have.

STATEMENT OF MARY WAGNER, ASSOCIATE CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the Committee, thank you for the opportunity to testify before you today on S. 896, the Public Lands Service Corps Act of 2011. I am Mary Wagner, Associate Chief of the Forest Service.

S. 896 is a welcome amendment to the Public Lands Corps Act of 1993. The Nation’s forests and grasslands are unique and special ecosystems that the Forest Service manages to meet the needs of present and future generations. These lands yield abundant sustainable goods and ecosystem services for the American people. The National Forest System lands, managed under a multiple-use, sustained-yield mission are perfect places for the Public Lands Service Corps participants to learn and practice an array of conservation, preservation, interpretation and cultural resource activities, and take advantage of outstanding and unique educational opportunities. In states in every region, the Forest Service has benefited greatly from the services of Conservation Corps on National Forest System lands.

The Department strongly supports S. 896. This bill would strengthen and facilitate the use of the Public Land Corps (PLC) program, helping to fulfill the vision that Secretary Vilsack has for engaging young people across America to serve their community and their country. It is also consistent with the goals of the President's America's Great Outdoors Initiative which includes catalyzing the establishment of a 21st century Conservation Service Corps to engage young people in public lands service work. S. 896 will help USDA and our sister agencies, DOI, NOAA, expand opportunities for our youth to engage in the care of America's Great Outdoors, and is a great example of multiple agencies coming together to implement a shared goal.

In recent years, the Forest Service has greatly expanded partnerships with local, state, and urban based conservation Corps programs and our Job Corps Center portfolio.

Under S. 896, we will be able to increase partnerships with Corps programs and expand opportunities for Job Corps graduates in the Green Careers program. In 2010, our partnerships with the Students Conservation Association, The Corps Network, and multiple youth, conservation and veterans Corps in every region resulted in nearly 5,500 youth and young adults serving on public lands. The expanded authority provided by S. 896 will improve the Act by providing increased flexibility to use interns and Conservation Corps teams. It will also help ensure that underserved populations are able to participate by defining minimum match requirements while also providing flexibility with the match requirement.

The emphasis on experiential training and education will help promote the value of public service in addition to contributing to the accomplishment of much needed work. S. 896 will expand our usage of the PLSC in a variety of program areas by providing additional resources and mechanisms to engage young people in a range of developmental opportunities. This authority will further assist in providing even more outdoor opportunities that will nurture the next generation of public land stewards.

The broader definition of natural, cultural and historic resource work under the amendment benefits the Nation's forests and grasslands by authorizing a wider variety of different types of youth engagement. The expanded authority to engage Native Americans through the Indian Youth Service Corps and resources assistants and consulting interns will contribute to our goals of creating a more diverse workforce as we seek to fill positions in an aging workforce. These new and expanded authorities will ultimately promote public understanding and appreciation of the mission and work of the federal land, coastal and ocean management agencies.

We appreciate the flexibility of the expanded authority in section 205, which would authorize the use of residential facilities. Our history of program delivery through Forest Service Job Corps Civilian Conservation Centers has

allowed us to reach more than six million youth since the program was established in 1964. The U.S. Forest Service operates residential Civilian Conservation Centers through an interagency agreement with the Department of Labor Job Corps program. The 2009 Omnibus Appropriations Act authorized the Forest Service to operate six additional Job Corps Centers formerly run by the Bureau of Reclamation. The now 28 Job Corps Civilian Conservation Centers have the capacity to house, educate and train over 6,200 enrollees between the ages of 16 and 24. Our extensive experience operating residential facilities successfully has resulted in the establishment of many best practices and in-depth operational knowledge about residential conservation centers.

The Job Corps Civilian Conservation Centers not only help cultivate and develop emerging leaders within the Forest Service, but also provide a pipeline of entry-level workers. Each year the Forest Service hires dozens of Job Corps graduates that have participated in forestry and conservation programs. Through Job Corps, the Forest Service is building a skilled and diverse workforce capable of advancing the agency's mission.

With our partners, we can confidently leverage resources and expand our ability to develop a well-trained and responsible workforce in natural and cultural resources. Youth will participate in community service, restoration and stewardship projects; leadership and civic engagement programs; recreation; and team building and independent living skills training.

The Forest Service is uniquely positioned to manage residential conservation centers on the National Forests and Grasslands. This initiative could become an important component of the emerging youth outdoors initiative. It will also provide us with a unique opportunity to develop and implement innovative programming that will engage more urban youth and people that have been previously underserved.

There are a number of implementation issues that should be considered in establishing new residential conservation centers. These include the costs of operating and maintaining the facilities, potential liability issues, and questions about the impact on contract and labor laws. We would like to work with the Committee on addressing these types of issues.

S. 896 would increase the opportunity for Public Lands Service Corps members to leverage their education and work experience in obtaining permanent full-time employment with Federal agencies, but we offer a few amendments to the bill that are outlined below:

(1) Hiring preference

The Administration recommends changing eligibility for former PLSC for noncompetitive hiring status from two years to one year. This change would make eligibility status consistent with other Government-wide, non-competi-

tive appointment authorities based on service outside of the Federal government.

(2) Cost sharing for nonprofit organizations contributing to expenses of resource assistants and consulting interns

Under current law in the case of resource assistants, and under S. 896 in the case of consulting interns, sponsoring organizations are required to cost-share 25 percent of the expenses of providing and supporting these individuals from “private sources of funding.” The Administration recommends giving agencies the ability to reduce the non-Federal contribution to no less than 10 percent, if the Secretary determines it is necessary to enable a greater range of organizations, such as smaller, community-based organizations that draw from low-income and rural populations, to participate in the PLSC program. This would make the cost-share provisions for resource assistants and consulting interns parallel to the provisions under the bill for other PLSC participants.

(3) Department-wide authorities

The Administration recommends technical amendments to clarify that PLSC activities will be carried out on public lands as enumerated in the law. “Eligible service lands” may be interpreted to include non-Federal lands.

(4) Agreements with partners on training and employing corps members

The Administration recommends striking the provision in S. 896 that would allow PLSC members to receive federally funded stipends and other PLSC benefits while working directly for non-Federal third parties. The need for this language is unclear, since agencies already have flexibility in how they coordinate work with cooperating associations, educational institutes, friends groups, or similar nonprofit partnership organizations. Yet, the language could raise unanticipated concerns over accountability, liability, and conflicts of interest. For example, this language could allow an individual to receive a federally funded stipend under a PLSC agreement, and then perform work for a different non-federal group (such as a cooperating association) that is subject to agency oversight under different agreements. This language could blur the lines of responsibility that have been established in response to IG concerns over the management of cooperating associations and friends groups.

(5) Living allowance differentials

The Administration recommends striking the provision in S. 896 that would allow for the Secretary to provide living allowance differentials to employees. Current law provides the Secretary with broad authority to set “living allowances” at an appropriate rate. Adding “cost-of-living” language to a law that would modify compensation for Federal employees may unnecessarily introduce confusion.

The Forest Service has offices already in place to help coordinate the Public Lands Service Corps through its National Job Corps Civilian Conservation Centers program and the Office of Recreation, Heritage and Volunteer Resources Volunteers (RHVR) and Service program. The Forest Service RHVR Volunteers and Service program could likely be the coordinating office for Public Lands Service Corps in the Forest Service.

The Forest Service is fully committed to the advancement of young people through a variety of conservation projects, training, and service learning and conservation education. Along with the Bureau of Land Management, we can provide participants with an understanding of the agency's history and training on multiple-use and sustained-yield management of natural, cultural, historic, archaeological, recreational and scenic resources. Our mission, "To sustain the health, diversity and productivity of the Nation's forests and grasslands to meet the needs of present and future generations," can only be achieved by educating future generations and training the future public and private land managers. In turn, they will promote the value of public service and continue the conservation legacy of natural resource management for the United States.

The America's Great Outdoors initiative has generated a national dialogue on how to reconnect Americans with the outdoors. The AGO report released February 2011 includes a major emphasis on youth and career pathways. The very first goal in the report is "develop quality conservation jobs and service opportunities that protect and restore America's natural and cultural resources."

USDA Forest Service staff are a part of an interagency workgroup that is presently working to (1) catalyze the establishment of a 21st Century Conservation Service Corps that will engage young Americans in public lands and water restoration; (2) work with OPM to improve career pathways and to review barriers to jobs in natural resource conservation and historic and cultural preservation; and (3) improve federal capacity for recruiting, training and managing volunteers and volunteer programs to create a new generation of citizen stewards. The proposed amendments to the Public Lands Corps Act align well with these objectives and will undergird our efforts to fully implement the President's America's Great Outdoors priorities.

Mr. Chairman and Members of the Committee, this concludes my prepared statement. I am happy to answer any questions that you or Members of the Committee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 896 as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is

printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LANDS CORPS ACT OF 1993

(Title II of the Youth Conservation Corps Act of 1970)

(Public Law 91–378, as amended by Public Law 103–82)

(16 U.S.C. 1721–1729)

TITLE II—[PUBLIC LANDS CORPS] *PUBLIC LANDS SERVICE CORPS*

SEC. 201. SHORT TITLE.

[This title may be cited as the “Public Lands Corps Act of 1993”.]

SEC. 201. SHORT TITLE; REFERENCE.

(a) *SHORT TITLE.*—*This title may be cited as the “Public Lands Service Corps Act of 1993”.*

(b) *REFERENCES.*—*Any reference contained in any law, regulation, document, paper, or other record of the United States to the “Public Lands Corps Act of 1993” shall be considered to be a reference to the “Public Lands Service Corps Act of 1993”.*

SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) Conserving or developing natural and cultural resources and enhancing and maintaining environmentally important lands and waters through the use of the Nation’s young men and women in a [Public Lands Corps can benefit] *conservation corps can benefit* those men and women by providing them with education and work opportunities, furthering their understanding and appreciation of [the natural and cultural] *natural and cultural* resources, and providing a means to pay for higher education or to repay indebtedness they have incurred to obtain higher education while at the same time benefiting the Nation’s economy and its environment.

(2) *Participants in conservation corps receive meaningful education and training, and their experience with conservation corps provides preparation for careers in public service.*

(3) *Young men and women who participate in the rehabilitation and restoration of the natural, cultural, historic, archaeological, recreational, and scenic treasures of the United States will gain an increased appreciation and understanding of the public lands and heritage of the United States, and of the value of public service, and are likely to become life-long advocates for those values.*

[(2)] (4) Many facilities and natural, *cultural, historic, archaeological, recreational, and scenic* resources located on eligible service lands are in disrepair or degraded and in need of labor intensive rehabilitation, restoration, and enhancement work which cannot be carried out by Federal agencies at existing personnel levels.

[(3)] (5) Youth conservation corps have established a good record of restoring and maintaining these kinds of facilities and resources in a cost effective and efficient manner, espe-

cially when they have worked in partnership arrangements with government land management agencies.

(6) The work of conservation corps can benefit communities adjacent to public lands and facilities through renewed civic engagement and participation by corps participants and those they serve, improved student achievement, and restoration and rehabilitation of public assets.

[(b) PURPOSE.—It is the purpose of this title to—

[(1) perform, in a cost-effective manner, appropriate conservation projects on eligible service lands where such projects will not be performed by existing employees;

[(2) assist governments and Indian tribes in performing research and public education tasks associated with natural and cultural resources on eligible service lands;

[(3) expose young men and women to public service while furthering their understanding and appreciation of the Nation's natural and cultural resources;

[(4) expand educational opportunities by rewarding individuals who participate in national service with an increased ability to pursue higher education or job training; and

[(5) stimulate interest among the Nation's young men and women in conservation careers by exposing them to conservation professionals in land managing agencies.]

(b) PURPOSES.—*The purposes of this Act are—*

(1) to introduce young men and women to public service while furthering their understanding and appreciation of the natural, cultural, historic, archaeological, recreational, and scenic resources of the United States;

(2) to facilitate training and recruitment opportunities in which service is credited as qualifying experience for careers in the management of such resources;

(3) to instill in a new generation of young men and women from across the United States, including young men and women from diverse backgrounds, the desire to seek careers in resource stewardship and public service by allowing them to work directly with professionals in agencies responsible for the management of the natural, cultural, historic, archaeological, recreational, and scenic resources of the United States;

(4) to perform, in a cost-effective manner, appropriate natural and cultural resources conservation projects where such projects are not being performed by existing employees;

(5) to assist State and local governments and Indian tribes in performing research and public education tasks associated with the conservation of natural, cultural, historic, archaeological, recreational, and scenic resources;

(6) to expand educational opportunities on public lands and by rewarding individuals who participate in conservation corps with an increased ability to pursue higher education and job training;

(7) to promote public understanding and appreciation of the missions and the natural and cultural resources conservation work of the participating Federal agencies through training opportunities, community service and outreach, and other appropriate means; and

(8) to create a grant program for Indian tribes to establish the Indian Youth Service Corps so that Indian youth can benefit from carrying out projects on Indian lands that the Indian tribes and communities determine to be priorities.

SEC. 203. DEFINITIONS.

For purposes of this title:

[(1) **APPROPRIATE CONSERVATION PROJECT.**—The term “appropriate conservation project” means any project for the conservation, restoration, construction or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

[(2) **CORPS AND PUBLIC LANDS CORPS.**—The terms “Corps” and “Public Lands Corps” mean the Public Lands Corps established under section 204.]

(1) **APPROPRIATE NATURAL AND CULTURAL RESOURCES CONSERVATION PROJECT.**—The term “appropriate natural and cultural resources conservation project” means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

(2) **CONSULTING INTERN.**—The term “consulting intern” means a consulting intern selected under section 206(a)(2).

(3) **CORPS AND PUBLIC LANDS SERVICE CORPS.**—The terms “Corps” and “Public Lands Service Corps” mean the Public Lands Service Corps established under section 204(a).

(4) **CORPS PARTICIPANT.**—The term “corps participant” means an individual enrolled—

(A) in the Corps or the Indian Youth Service Corps; or

(B) as a resource assistant or consulting intern.

[(3)] (5) **ELIGIBLE SERVICE LANDS.**—The term “eligible service lands” means public lands, Indian lands, and Hawaiian home lands.

[(4)] (6) **HAWAIIAN HOME LANDS.**—The term “Hawaiian home lands” means all lands given the status of Hawaiian home lands under section 204 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 110), or under the corresponding provision of the Constitution of the State of Hawaii adopted under section 4 of the Act entitled “An Act to provide for the admission of the State of Hawaii into the Union”, approved March 18, 1959 (Public Law 86–3; 73 Stat. 5).

[(5)] (7) **INDIAN.**—The term “Indian” means a person who—

(A) is a member of an Indian tribe; or

(B) is a “Native”, as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

[(6)] (8) **INDIAN LANDS.**—The term “Indian lands” means—

(A) any Indian reservation;

(B) any public domain Indian allotments;

(C) any former Indian reservation in the State of Oklahoma;

(D) any land held by incorporated Native groups, regional corporations, and village corporations under the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.); and

(E) any land held by dependent Indian communities within the borders of the United States whether within the

original or subsequently acquired territory thereof, and whether within or without the limits of a State.

[(7)] (9) INDIAN TRIBE.—The term “Indian tribe” means an Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation, as defined in subsection (c), (g), or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians.

(10) INDIAN YOUTH SERVICE CORPS.—*The term “Indian Youth Service Corps” means a qualified youth or conservation corps established under section 207 that—*

(A) enrolls individuals between the ages of 15 and 25, inclusive, a majority of whom are Indians; and

(B) is established pursuant to a tribal resolution that describes the agreement between the Indian tribe and the qualified youth or conservation corps to operate an Indian Youth Service Corps program for the benefit of the members of the Indian tribe.

[(8)] (11) PRIORITY PROJECT.—The term “priority project” means an [appropriate conservation project] *appropriate natural and cultural resources conservation project* conducted on eligible service lands to further 1 or more of the purposes of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), as follows:

(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk Federal land.

(B) To protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire.

(C) To address the impact of insect or disease infestations or other damaging agents on forest and rangeland health.

(D) To protect, restore, or enhance forest ecosystem components to—

(i) promote the recovery of threatened or endangered species;

(ii) improve biological diversity; or

(iii) enhance productivity and carbon sequestration.

[(9)] PUBLIC LANDS.—The term “public lands” means any lands or waters (or interest therein) owned or administered by the United States, except that such term does not include any Indian lands.】

(12) PUBLIC LANDS.—*The term “public lands” means any land or water (or interest therein) owned or administered by the United States, including those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States exercises jurisdiction, except that such term does not include Indian lands.*

[(10)] (13) QUALIFIED YOUTH OR CONSERVATION CORPS.—The term “qualified youth or conservation corps” means any program established by a State or local government, by the governing body of any Indian tribe, or by a nonprofit organization that—

(A) is capable of offering meaningful, [full-time,] productive work for individuals between the ages of [16] 15 and 25, inclusive, in a natural or cultural resource setting on eligible service lands;

(B) gives participants a mix of work experience, basic and life skills, education, training, and support services; [and]

(C) provides participants with the opportunity to develop citizenship values and skills through service to their community and the United States[.]; and

(D) makes available for audit for each fiscal year for which the qualified youth or conservation corps receives Federal funds under this Act, all information pertaining to the expenditure of the funds, any matching funds, and participant demographics.

(14) *RESIDENTIAL CONSERVATION CENTERS.*—The term “residential conservation centers” means the facilities authorized under section 205.

[(11)] (15) *RESOURCE ASSISTANT.*—The term “resource assistant” means a resource assistant selected under section [206] 206(a)(1).

[(12)] (16) *SECRETARY.*—The term “Secretary” means—

(A) with respect to National Forest System land, the Secretary of Agriculture; [and]

(B) with respect to Indian lands, Hawaiian home lands, or land administered by the Department of the Interior, the Secretary of the Interior[.]; and

(C) with respect to the National Marine Sanctuary System, coral reefs, and other coastal, estuarine, and marine habitats, and other lands and facilities administered by the National Oceanic and Atmospheric Administration, the Secretary of Commerce.

[(13)] (17) *STATE.*—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 204. [PUBLIC LANDS CORPS] PUBLIC LANDS SERVICE CORPS PROGRAM.

[(a)] *ESTABLISHMENT OF PUBLIC LANDS CORPS.*—There is hereby established in the Department of the Interior and the Department of Agriculture a Public Lands Corps[.]

(a) *ESTABLISHMENT OF PUBLIC LANDS SERVICE CORPS.*—There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a Public Lands Service Corps.

(b) *ESTABLISHMENT OF CORPS OFFICE; COORDINATORS; LIAISON.*—

(1) *ESTABLISHMENT OF OFFICES.*—

(A) *DEPARTMENT OF THE INTERIOR.*—The Secretary of the Interior shall establish a department-level office to coordinate the Corps activities within the Department of the Interior.

(B) *DEPARTMENT OF AGRICULTURE.*—The Secretary of Agriculture shall establish within the Forest Service an office to coordinate the Corps activities within that agency.

(C) *DEPARTMENT OF COMMERCE.*—The Secretary of Commerce shall establish within the National Oceanic and Atmospheric Administration an office to coordinate the Corps activities within that agency.

(2) *ESTABLISHMENT OF COORDINATORS.*—The Secretary shall designate a Public Lands Service Corps coordinator for each agency under the jurisdiction of the Secretary that administers Corps activities.

(3) *ESTABLISHMENT OF LIAISON.*—The Secretary of the Interior shall establish an Indian Youth Service Corps liaison that will—

(A) provide outreach to Indian tribes about opportunities for establishing Corps and Indian Youth Service Corps programs; and

(B) coordinate with the Tribal Liaison of the Corporation for National Service to identify and establish Corps and Indian Youth Service Corps opportunities for Indian youth.

[(b) *PARTICIPANTS.*—The Corps shall consist of individuals between the ages of 16 and 25, inclusive, who are enrolled as participants in the Corps by the Secretary of the Interior or the Secretary of Agriculture. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 137(b) of the National and Community Service Act of 1990. The Secretaries may enroll such individuals in the Corps without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretaries may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.]

(c) *PARTICIPANTS.*—

(1) *IN GENERAL.*—The Secretary may enroll in the Corps individuals who are—

(A) hired by an agency under the jurisdiction of the Secretary to perform work authorized under this Act; or

(B) members of a qualified youth or conservation corps with which the Secretary has entered into a cooperative agreement to perform work authorized under this Act.

(2) *RESOURCE ASSISTANTS AND CONSULTING INTERNS.*—The Secretary may also enroll in the Corps resource assistants and consulting interns in accordance with section 206(a).

(3) *ELIGIBILITY REQUIREMENTS.*—To be eligible for enrollment as a Corps participant, an individual shall—

(A) be between the ages of 15 and 25, inclusive; and

(B) satisfy the requirements of section 137(a)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)(5)).

(4) *TERMS.*—Each Corps participant may be enrolled in the Corps for a term of up to 2 years of service, which may be served over a period that exceeds 2 calendar years.

(5) *CIVIL SERVICE.*—An individual may be enrolled as a Corps participant without regard to the civil service and classification laws, rules, or regulations of the United States.

(6) *PREFERENCE.*—The Secretary may establish a preference for the enrollment as Corps participants individuals who are economically, physically, or educationally disadvantaged.

[(c)] (d) *QUALIFIED YOUTH OR CONSERVATION CORPS.*—

(1) IN GENERAL.—The Secretary is authorized to enter into **contracts and** cooperative agreements with any qualified youth or conservation corps to perform **appropriate conservation projects** *appropriate natural and cultural resources conservation projects* referred to in **subsection (d)** *subsection (f)* of this section.

[(2) PREFERENCE.—

[(A) IN GENERAL.—For purposes of entering into contracts and cooperative agreements under paragraph (1), the Secretary may give preference to qualified youth or conservation corps located in a specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.

[(B) PRIORITY PROJECTS.—In carrying out priority projects in a specific area, the Secretary shall, to the maximum extent practicable, give preference to qualified youth or conservation corps located in that specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged.]

(2) RECRUITMENT.—*The Secretary shall carry out, or enter into cooperative agreements to provide, a program to attract eligible youth to the Corps by publicizing Corps opportunities through high schools, colleges, employment centers, electronic media, and other appropriate institutions and means.*

(3) PREFERENCE.—*In entering into cooperative agreements under paragraph (1) or awarding competitive grants to Indian tribes or tribally authorized organizations under section 207, the Secretary may give preference to qualified youth or conservation corps that are located in specific areas where a substantial portion of members are economically, physically, or educationally disadvantaged.*

(e) TRAINING.—

(1) IN GENERAL.—*The Secretary shall establish a training program based at appropriate residential conservation centers or at other suitable regional Federal or other appropriate facilities or sites to provide training for Corps participants.*

(2) REQUIREMENTS.—*In establishing a training program under paragraph (1), the Secretary shall—*

(A) ensure that the duration and comprehensiveness of the training program shall be commensurate with the projects Corps participants are expected to undertake;

(B) develop department-wide standards for the program that include training in—

(i) resource stewardship;

(ii) health and safety;

(iii) ethics for individuals in public service;

(iv) teamwork and leadership; and

(v) interpersonal communications;

(C) direct the participating agencies within the Department of the Interior, the Forest Service in the case of the Department of Agriculture, and the National Oceanic and Atmospheric Administration in the case of the Department of Commerce, to develop agency-specific training guidelines

to ensure that Corps participants are appropriately informed about matters specific to that agency, including—

- (i) the history and organization of the agency;
- (ii) the mission of the agency; and
- (iii) any agency-specific standards for the management of natural, cultural, historic, archaeological, recreational, and scenic resources; and

(D) take into account training already received by Corps participants enrolled from qualified youth or conservation corps.

[(d)] (f) PROJECTS TO BE CARRIED OUT.—

(1) **[IN GENERAL.—]USE OF CORPS; PROJECTS.—****[The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out]**

(A) *IN GENERAL.—The Secretary may use the Corps to carry out, with appropriate supervision and training, [appropriate conservation projects] appropriate natural and cultural resources conservation projects* which the Secretary is authorized to carry out under other authority of law **[on public lands] on eligible service lands.**

(B) *PROJECTS.—Appropriate natural and cultural resources conservation projects carried out under this section may include—*

(i) *protecting, restoring, or enhancing ecosystem components to promote species recovery, improve biological diversity, enhance productivity and carbon sequestration, and enhance adaptability and resilience of eligible service lands and resources to climate change and other natural and human disturbances;*

(ii) *promoting the health of eligible service lands, including—*

(I) *protecting and restoring watersheds and forest, grassland, riparian, estuarine, marine, or other habitat;*

(II) *reducing the risk of uncharacteristically severe wildfire and mitigating damage from insects, disease, and disasters;*

(III) *controlling erosion;*

(IV) *controlling and removing invasive, noxious, or nonnative species; and*

(V) *restoring native species;*

(iii) *collecting biological, archaeological, and other scientific data, including climatological information, species populations and movement, habitat status, and other information;*

(iv) *assisting in historical and cultural research, museum curatorial work, oral history projects, documentary photography, and activities that support the creation of public works of art related to eligible service lands; and (v) constructing, repairing, rehabilitating, and maintaining roads, trails, campgrounds and other visitor facilities, employee housing, cultural and historic sites and structures, and other facilities that further the purposes of this Act.*

(2) **VISITOR SERVICES.—***The Secretary may—*

(A) enter into or amend an existing cooperative agreement with a cooperating association, educational institution, friends group, or similar nonprofit partner organization for the purpose of providing training and work experience to Corps participants in areas such as sales, office work, accounting, and management, provided that the work experience directly relates to the conservation and management of eligible service lands; and

(B) allow Corps participants to help promote visitor safety and enjoyment of eligible service lands, and assist in the gathering of visitor use data.

(3) INTERPRETATION.—The Secretary may permit Corps participants to provide interpretation or education services for the public under the direct and immediate supervision of an agency employee—

(A) to provide orientation and information services to visitors;

(B) to assist agency employees in the delivery of interpretive or educational programs where audience size, environmental conditions, safety, or other factors make such assistance desirable;

(C) to present programs that relate the personal experience of the Corps participants for the purpose of promoting public awareness of the Corps, the role of the Corps in public land management agencies, and the availability of the Corps to potential participants; and

(D) to create nonpersonal interpretive products, such as website content, Junior Ranger program books, printed handouts, and audiovisual programs.

[(2)] (4) PROJECTS ON INDIAN LANDS.—[Appropriate conservation projects] *Appropriate natural and cultural resources conservation projects* may also be carried out under this title on Indian lands with the approval of the Indian tribe involved and on Hawaiian home lands with the approval of the Department of Hawaiian Home Lands of the State of Hawaii.

[(3)] (5) DISASTER PREVENTION OR RELIEF PROJECT.—The Secretary may authorize [appropriate conservation projects] *appropriate natural and cultural resources conservation projects* and other appropriate projects to be carried out on Federal, State, local, or private land as part of a Federal disaster prevention or relief effort.

[(e)] (g) PREFERENCE FOR CERTAIN PROJECTS.—In selecting [appropriate conservation projects] *appropriate natural and cultural resources conservation projects* to be carried out under this title, the Secretary shall give preference to [those projects which] *priority projects and other projects that*—

(1) will provide long-term benefits to the public;

[(2)] will instill in the enrollee involved a work ethic and a sense of public service;]

(2) *will instill in Corps participants a work ethic and a sense of public service;*

(3) will be labor intensive;

(4) can be planned and initiated promptly; and

(5) will provide academic, experiential, or environmental education opportunities.

[(f)] (h) CONSISTENCY.—Each **[appropriate conservation project]** *appropriate natural and cultural resources conservation project* carried out under this title on eligible service lands shall be consistent with the provisions of law and policies relating to the management and administration of such lands, with all other applicable provisions of law, and with all management, operational, and other plans and documents which govern the administration of the area.

(i) **OTHER PARTICIPANTS.**—*The Secretary may allow volunteers from other programs administered or designated by the Secretary to participate as volunteers in projects carried out under this section.*

(j) **CRIMINAL HISTORY CHECKS.**—

(1) **IN GENERAL.**—*The requirements of section 189D(b) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(b)) shall apply to each individual age 18 or older seeking—*

(A) *to become a Corps participant;*

(B) *to receive funds authorized under this Act; or*

(C) *to supervise or otherwise have regular contact with Corps participants in activities authorized under this Act.*

(2) **ELIGIBILITY PROHIBITION.**—*If any of paragraphs (1) through (4) of section 189D(c) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(c)(1)–(4)) apply to an individual described in paragraph (1), that individual shall not be eligible for the position or activity described in paragraph (1), unless the Secretary provides an exemption for good cause.*

SEC. 205. [CONSERVATION] RESIDENTIAL CONSERVATION CENTERS AND PROGRAM SUPPORT.

(a) **ESTABLISHMENT AND USE.**—

[(1) IN GENERAL.—The Secretary may establish and use conservation centers owned and operated by the Secretary for—

(A) use by the Public Lands Corps; and

(B) the conduct of appropriate conservation projects under this title.]

(1) **IN GENERAL.**—*The Secretary may establish residential conservation centers for—*

(A) *such housing, food service, medical care, transportation, and other services as the Secretary deems necessary for Corps participants; and*

(B) *the conduct of appropriate natural and cultural resources conservation projects under this Act.*

[(2) ASSISTANCE FOR CONSERVATION CENTERS.—The Secretary may provide to a conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the Secretary determines to be necessary for the conservation center.]

[(3)] (2) STANDARDS [FOR CONSERVATION CENTERS].—The Secretary shall—

(A) establish basic standards of health, nutrition, sanitation, and safety for all **[conservation centers]** *residential conservation centers* established under paragraph (1); and

(B) ensure that the standards established under subparagraph (A) are enforced.

[(4)] (3) MANAGEMENT.—As the Secretary determines to be appropriate, the Secretary may enter into a contract or other appropriate arrangement with **[a State or local government]**

agency] *another Federal agency, State, local government, or private organization to provide for the management of a [conservation center] residential conservation center.*

(b) LOGISTICAL SUPPORT.—[The Secretary]

(1) *IN GENERAL.*—*The Secretary may make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to the Corps and any [conservation center] residential conservation center established under this section, where feasible. Logistical support may include the provision of temporary tent shelters where needed, transportation, and residential supervision.*

(2) *TEMPORARY HOUSING.*—*The Secretary may make arrangements with another Federal agency, State, local government, or private organization to provide temporary housing for Corps participants as needed and available.*

(3) *TRANSPORTATION.*—*In project areas where Corps participants can reasonably be expected to reside at their own homes, the Secretary may fund or provide transportation to and from project sites.*

(c) USE OF MILITARY INSTALLATIONS.—The Secretary may make arrangements with the Secretary of Defense to identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the Corps for training or housing Corps participants.

(d) *FACILITIES.*—*The Secretary may, as an appropriate natural and cultural resources conservation project, direct Corps participants to aid in the construction or rehabilitation of residential conservation center facilities, including housing.*

(e) *MENTORS.*—*The Secretary may recruit from programs, such as Federal volunteer and encore service programs, and from veterans groups, military retirees, and active duty personnel, such adults as may be suitable and qualified to provide training, mentoring, and crew-leading services to Corps participants.*

[(d)] (f) ASSISTANCE.—The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations [that are appropriate to carry out this title.] *that the Secretary determines to be necessary for a residential conservation center.*

SEC. 206. RESOURCE ASSISTANTS AND CONSULTING INTERNS.

[(a)] *AUTHORIZATION.*—The Secretary is authorized to provide, individual placements of resource assistants with any Federal land managing agency under the jurisdiction of the Secretary resource assistants to carry out research or resource protection activities on behalf of the agency. To be eligible for selection as a resource assistant, an individual must be at least 17 years of age. The Secretary may select resource assistants without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary shall give a preference to the selection of individuals who are enrolled in an institution of higher education or are recent graduates from an institution of higher education, with particular attention given to ensure full representation of women and participants from historically black, Hispanic, and Native American schools.

[(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—Whenever one or more existing nonprofit organizations can provide, in the judgment of the Secretary, appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such existing organizations. Participating nonprofit organizations shall contribute to the expenses of providing and supporting the resource assistants, through private sources of funding, at a level equal to 25 percent of the total costs of each participant in the Resource Assistant program who has been recruited and placed through that organization. Any such participating nonprofit conservation service organization shall be required, by the respective land managing agency, to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the Resource Assistants, to the mission of the agency.]

(a) AUTHORIZATION.—

(1) RESOURCE ASSISTANTS.—

(A) *IN GENERAL.*—*The Secretary may provide individual placements of resource assistants with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out research or resource protection activities on behalf of the agency.*

(B) *ELIGIBILITY.*—*To be eligible for selection as a resource assistant, an individual shall be at least 17 years of age.*

(C) *PREFERENCE.*—*In selecting resource assistants for placement under this paragraph, the Secretary shall give a preference to individuals who are enrolled in an institution of higher education or are recent graduates from an institution of higher education, with particular attention given to ensuring full representation of women and participants from Historically Black Colleges and Universities, Hispanic-serving institutions, and Tribal Colleges and Universities.*

(2) CONSULTING INTERNS.—

(A) *IN GENERAL.*—*The Secretary may provide individual placements of consulting interns with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out management analysis activities on behalf of the agency.*

(B) *ELIGIBILITY.*—*To be eligible for selection as a consulting intern, an individual shall be enrolled in, and have completed at least 1 full year at, a graduate or professional school that has been accredited by an accrediting body recognized by the Secretary of Education.*

(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—

(1) *IN GENERAL.*—*Whenever 1 or more nonprofit organizations can provide appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such organizations.*

(2) *EXPENSES.*—*Participating organizations shall contribute to the expenses of providing and supporting the resource assistants or consulting interns from sources of funding other than the Secretary, at a level of not less than 25 percent of the total*

costs (15 percent of which may be from in-kind sources) of each participant in the resource assistant or consulting intern program who has been recruited and placed through that organization.

(3) REPORTING.—Each participating organization shall be required to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the resource assistants and consulting interns, to the mission of the agency.

SEC. 207. INDIAN YOUTH SERVICE CORPS.

(a) AUTHORIZATION OF COOPERATIVE AGREEMENTS AND COMPETITIVE GRANTS.—The Secretary is authorized to enter into cooperative agreements with, or make competitive grants to, Indian tribes and qualified youth or conservation corps for the establishment and administration of Indian Youth Service Corps programs to carry out appropriate natural and cultural resources conservation projects on Indian lands.

(b) APPLICATION.—To be eligible to receive assistance under this section, an Indian tribe or a qualified youth or conservation corps shall submit to the Secretary an application in such manner and containing such information as the Secretary may require, including—

(1) a description of the methods by which Indian youth will be recruited for and retained in the Indian Youth Service Corps;

(2) a description of the projects to be carried out by the Indian Youth Service Corps;

(3) a description of how the projects were identified; and

(4) an explanation of the impact of, and the direct community benefits provided by, the proposed projects.

SEC. 208. GUIDANCE.

Not later than 18 months after funds are made available to the Secretary to carry out this Act, the Secretary shall issue guidelines for the management of programs under the jurisdiction of the Secretary that are authorized under this Act.

SEC. [207] 209. LIVING ALLOWANCES AND TERMS OF SERVICE.

[(a) LIVING ALLOWANCES.—The Secretary shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount established by the Secretary.

[(b) TERMS OF SERVICE.—Each participant in the Corps and each resource assistant shall agree to participate in the Corps or serve as a resource assistant, as the case may be, for such term of service as may be established by the Secretary enrolling or selecting the individual.

[(c) HIRING.—The Secretary may—

[(1) grant to a member of the Public Lands Corps credit for time served with the Public Lands Corps, which may be used toward future Federal hiring; and

[(2) provide to a former member of the Public Lands Corps noncompetitive hiring status for a period of not more than 120 days after the date on which the member's service with the Public Lands Corps is complete.]

(a) LIVING ALLOWANCES.—

(1) *IN GENERAL.*—The Secretary shall provide each Corps participant with a living allowance in an amount established by the Secretary.

(2) *TRAVEL COSTS.*—The Secretary may reimburse Corps participants for travel costs at the beginning and end of the term of service of the Corps participants.

(b) *TERMS OF SERVICE.*—

(1) *IN GENERAL.*—Each Corps participant shall agree to participate for such term of service as may be established by the Secretary.

(2) *CONSULTATIONS.*—With respect to the Indian Youth Service Corps, the term of service shall be established in consultation with the affected Indian tribe or tribally authorized organization.

(c) *HIRING PREFERENCE AND FUTURE EMPLOYMENT.*—The Secretary may—

(1) grant to a Corps participant credit for time served as a Corps participant, which may be used toward future Federal hiring;

(2) provide to a former participant of the Corps or the Indian Youth Service Corps noncompetitive hiring status for a period of not more than 2 years after the date on which the service of the candidate in the Corps or the Indian Youth Service Corps was complete, if the candidate—

(A) has served a minimum of 960 hours on an appropriate natural or cultural resources conservation project that included at least 120 hours through the Corps or the Indian Youth Service Corps; and

(B) meets Office of Personnel Management qualification standards for the position for which the candidate is applying;

(3) provide to a former resource assistant or consulting intern noncompetitive hiring status for a period of not more than 2 years after the date on which the individual has completed an undergraduate or graduate degree, respectively, from an accredited institution, if the candidate—

(A) successfully fulfilled the resource assistant or consulting intern program requirements; and

(B) meets Office of Personnel Management qualification standards for the position for which the candidate is applying; and

(4) provide, or enter into contracts or cooperative agreements with qualified employment agencies to provide, alumni services such as job and education counseling, referrals, verification of service, communications, and other appropriate services to Corps participants who have completed the term of service.

SEC. [208] 210. NATIONAL SERVICE EDUCATIONAL AWARDS.

(a) *EDUCATIONAL BENEFITS AND AWARDS.*—If a [participant in the Public Lands Corps or a resource assistant] Corps participant also serves in an approved national service position designated under subtitle C of title I of the National and Community Service Act of 1990, the [participant or resource assistant] Corps participant shall be eligible for a national service educational award in the manner prescribed in subtitle D of such title upon successfully complying with the requirements for the award. The period during

which the national service educational award may be used, the purposes for which the award may be used, and the amount of the award shall be determined as provided under such subtitle.

(b) **FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.**—For purposes of section 428 of the Higher Education Act of 1965, in the case of borrowers who are [either participants in the Corps or resource assistants] *Corps participants*, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary of Education, during periods in which the borrower is serving as such a participant [or a resource assistant].

SEC. [209] 211. NONDISPLACEMENT.

The nondisplacement requirements of section 177 of the National and Community Service Act of 1990 shall be applicable to all [activities carried out by the Public Lands Corps, to all activities carried out under this title by a qualified youth or conservation corps, and to the selection and service of resource assistants.] *Corps participants*.

SEC. [210] 212. FUNDING.

(a) **COST SHARING.**—

(1) **PROJECTS BY QUALIFIED YOUTH OR CONSERVATION CORPS.**—The Secretary is authorized to pay not more than 75 percent of the costs of any [appropriate conservation project] *appropriate natural and cultural resources conservation project* carried out pursuant to this title on public lands by a qualified youth or conservation corps. The remaining 25 percent of the costs of such a project may be provided from [nonfederal sources] *sources other than the Secretary* in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. *The Secretary may pay up to 90 percent of the costs of a project if the Secretary determines that the reduction is necessary to enable participation from a greater range of organizations or individuals.* No cost sharing shall be required in the case of any [appropriate conservation project] *appropriate natural and cultural resources conservation project* carried out on Indian lands or Hawaiian home lands under this title.

(2) **[PUBLIC LANDS] CORPS PROJECTS.**—The Secretary is authorized to accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the [Public Lands Corps] *Corps or Indian Youth Service Corps* and carrying out [appropriate conservation projects] *appropriate natural and cultural resources conservation projects* by the Corps or *Indian Youth Service Corps*. However, nothing in this title shall be construed to require any cost sharing for any project carried out directly by the Corps or *Indian Youth Service Corps*.

[(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.]—In order to carry out the Public Lands Corps or to support resource assistants and qualified youth or conservation corps under this title, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act of 1990.]

(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.—To carry out this Act, the Secretary shall be eligible to apply

for and receive assistance under section 121(b) of the National and Community Service Act (42 U.S.C. 12571(b)).

(c) OTHER FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under [section 211] *section 213* are in addition to amounts allocated to the [Public Lands Corps] *Corps* or *Indian Youth Service Corps* through other Federal programs or projects.

SEC. [211] 213. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$12,000,000 for each fiscal [year, of which \$8,000,000 is authorized to carry out priority projects and \$4,000,000 of which is authorized to carry out other appropriate conservation projects.] *year*.

[(b) DISASTER RELIEF OR PREVENTION PROJECTS.—Notwithstanding subsection (a), any amounts made available under that subsection shall be available for disaster prevention or relief projects.]

[(c)] (b) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.

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